

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 6:20-CR-57
v.	§	Judges JCB/KNM
	§	
CORY JOE PHILLIPS	§	

FACTUAL BASIS

An investigation by the Drug Enforcement Administration (DEA) disclosed the following facts that establish that I, the defendant, **Cory Joe Phillips**, committed the conduct described in Count 1 of the indictment, which charges a violation of 21 U.S.C. § 841(a)(1) (Possession with Intent to Distribute and Distribution of Methamphetamine).

I agree that the following factual basis is true and correct:

1. That I, the defendant, **Cory Joe Phillips**, am changing my plea to guilty and I am the same person charged in the indictment;
2. That the events described in the indictment occurred in the Eastern District of Texas;
3. That on or about November 8, 2019, in the Dukes Travel Plaza parking lot located at 21620 Interstate Highway 20 in Canton, Van Zandt County, Texas, I distributed approximately two ounces of “ice” methamphetamine to an individual in exchange for \$900.00 in U.S. Currency;
4. That on or about March 13, 2020, in the Applebee’s parking lot located at 335E TX-243, in Canton, Van Zandt County, Texas, I distributed approximately two

ounces of “ice” methamphetamine and approximately one ounce of marijuana to two individuals for \$1,500.00. After conducting this transaction, I was arrested by law enforcement agents working for DEA.

5. I agree that the United States government could prove that the controlled substances I distributed on November 8, 2019 and March 13, 2020, that is, approximately four ounces of “ice” methamphetamine were in fact actual methamphetamine, a Schedule II controlled substance;
6. My attorney has gone over with me two DEA Chemical Analysis Reports related to the “ice” methamphetamine I distributed on November 8, 2019 and March 13, 2020, and I do not dispute that the DEA chemical analysis is accurate in each report and the amount of actual methamphetamine I distributed totaled approximately 107.2 grams;
7. That, although I am only entering a guilty plea to count one of the indictment for a single transaction involving actual methamphetamine, I am responsible for other conduct that constitutes relevant conduct for which I am personally liable.
Therefore, I agree, admit, and stipulate that I am responsible for possessing with intent to distribute at least 50 grams, but less than 150 grams, of actual methamphetamine during the course of my drug trafficking activities, and this amount should be used in calculating my appropriate sentencing range under U.S.S.G. § 2D1.1;
8. I stipulate and agree to forfeit any and all interest I may have in the following described property to the United States because the property constitutes proceeds

traceable to the illegal activity described in the indictment or was used or intended for use to facilitate the offense described in the indictment:

Cash Proceeds

A sum of money equal to \$2,400.00 in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds I obtained as a result of the offenses alleged in the indictment and any relevant conduct, which charges violations of 21 U.S.C. § 841(a)(1), possession with intent to distribute and distribution of methamphetamine, for which I am personally liable;

Firearms

A Remington Arms model M887, 12-gauge shotgun, serial number AAE087170A.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGEMENT

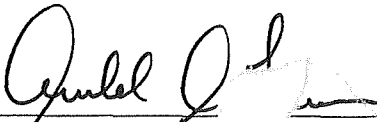
I have read this Factual Basis and I am pleading guilty to count one of the indictment in this case because I am guilty of the violation alleged. I have had an opportunity to consult with an attorney and I am satisfied with the advice and counsel that he has provided me. I acknowledge that I violated 21 U.S.C. § 841(a)(1) (possession with intent to distribute and distribution of methamphetamine). I hereby stipulate that the facts described above are true and correct and accept them as the uncontested facts of this case.

Dated: 2/15/2021


CORY JOE PHILLIPS
Defendant

I have reviewed this Factual Basis with the defendant. Based on these discussions, I am satisfied that he understands the terms and effect of the Factual Basis and that he has signed it voluntarily.

Dated: 2/1/2021



ARNOLD A. SPENCER
Attorney for Defendant